

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

REC'D 25 MAY 2005

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WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/GB2005/000403

International filing date (day/month/year)
07.02.2005

Priority date (day/month/year)
06.02.2004

International Patent Classification (IPC) or both national classification and IPC
B41J2/175

Applicant
DYNAMIC CASSETTE INTERNATIONAL LTD.

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

- For further options, see Form PCT/ISA/220.
- For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/GB2005/000403

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 a sequence listing
 table(s) related to the sequence listing
 - b. format of material:
 in written format
 in computer readable form
 - c. time of filing/furnishing:
 contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2005/000403

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

| | | |
|-------------------------------|-------------|------|
| Novelty (N) | Yes: Claims | 25 |
| | No: Claims | 1-24 |
| Inventive step (IS) | Yes: Claims | 25 |
| | No: Claims | 1-24 |
| Industrial applicability (IA) | Yes: Claims | 1-25 |
| | No: Claims | |

2. Citations and explanations

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Reference is made to the following documents:
D1: US-A-6 042 225 (ALTENDORF ET AL) 28 March 2000 (2000-03-28)
D2: US-A-5 576 750 (BRANDON ET AL) 19 November 1996 (1996-11-19)
D3: US-A-5 812 165 (BOYD ET AL) 22 September 1998 (1998-09-22)
2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1 to 24 is not new in the sense of Article 33(2) PCT.
 - 2.1 The document D1 discloses (the references in parentheses applying to this document):

An ink container comprising a serial arrangement of three chambers (160,162,164), each chamber defining a member receiving volume to receive a negative pressure producing member (130,132,134) to hold ink, the container defining an ink supply port (136,138,140) for each chamber through which ink can be drawn from the chamber, the ink supply port of two of the chambers (162,164) being displaced from alignment with the member receiving volume of that chamber. (claim 1)
 - 2.2 Document D1 shows also all the features of dependent claims 2,3 and 5 to 24 in particular ink fill holes 146,10,152 and breather holes 154,156.
 - 2.3 Document D2 shows all the features of claims 1 to 20 and document D3 shows all the features of claims 1 to 16.
3. The combination of the features of dependent claim 25 seems to be neither known from, nor rendered obvious by, the available prior art.

Re Item VIII

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/GB2005/000403

1. The application does not meet the requirements of Article 6 PCT, because claim 1 is not clear. The passage " the ink supply port of one of the chambers **being displaced from alignment with** the member receiving volume of that chamber." is not clear due to a lack of technical meaning of the expression "being displaced from alignment with" thereby rendering the definition of the subject-matter of said claims unclear. This passage has therefore been understood as explained in the description with reference to figure 3.

From the INTERNATIONAL BUREAU

PCT**NOTIFICATION CONCERNING
SUBMISSION OR TRANSMITTAL
OF PRIORITY DOCUMENT**

(PCT Administrative Instructions, Section 411)

To:

DEMPSTER, Benjamin, John, Naftel
 Withers & Rogers
 Goldings House
 2 Hays Lane
 London SE1 2HW
 ROYAUME-UNI

| | |
|--|---|
| Date of mailing (day/month/year) 02 May 2005 (02.05.2005) | |
| Applicant's or agent's file reference P513680PCT/BD | IMPORTANT NOTIFICATION |
| International application No. PCT/GB05/000403 | International filing date (day/month/year) 07 February 2005 (07.02.2005) |
| International publication date (day/month/year) | Priority date (day/month/year) 06 February 2004 (06.02.2004) |
| Applicant DYNAMIC CASSETTE INTERNATIONAL LTD. et al | |

1. By means of this Form, which replaces any previously issued notification concerning submission or transmittal of priority documents, the applicant is hereby notified of the date of receipt by the International Bureau of the priority document(s) relating to all earlier application(s) whose priority is claimed. Unless otherwise indicated by the letters "NR", in the right-hand column or by an asterisk appearing next to a date of receipt, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).
2. *(If applicable)* The letters "NR" appearing in the right-hand column denote a priority document which, on the date of mailing of this Form, had not yet been received by the International Bureau under Rule 17.1(a) or (b). Where, under Rule 17.1(a), the priority document must be submitted by the applicant to the receiving Office or the International Bureau, but the applicant fails to submit the priority document within the applicable time limit under that Rule, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.
3. *(If applicable)* An asterisk (*) appearing next to a date of receipt, in the right-hand column, denotes a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b) (the priority document was received after the time limit prescribed in Rule 17.1(a) or the request to prepare and transmit the priority document was submitted to the receiving Office after the applicable time limit under Rule 17.1(b)). Even though the priority document was not furnished in compliance with Rule 17.1(a) or (b), the International Bureau will nevertheless transmit a copy of the document to the designated Offices, for their consideration. In case such a copy is not accepted by the designated Office as the priority document, Rule 17.1(c) provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

| <u>Priority date</u> | <u>Priority application No.</u> | <u>Country or regional Office or PCT receiving Office</u> | <u>Date of receipt of priority document</u> |
|-------------------------------|---------------------------------|---|---|
| 06 February 2004 (06.02.2004) | 0402655.5 | GB | 08 April 2005 (08.04.2005) |

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